# Minutes Catawba County Board of Commissioners Regular Session, Monday, April 5, 2004, 9:30 a.m.

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The Catawba County Board of Commissioners met in regular session on Monday, April 5, 2004, 7:00 p.m., at the 1924 Courthouse, Robert E. Hibbitts Meeting Room, 30 North College Avenue, Newton, North Carolina.

Present were Chair Katherine W. Barnes, Vice-Chairman Dan A. Hunsucker, Commissioners Glenn E. Barger, Barbara G. Beatty, and Lynn M. Lail.

Absent: N/A

A quorum was present.

Also present were County Manager/Deputy Clerk J. Thomas Lundy, Assistant County Manager Mick W. Berry, Assistant County Manager Joellen J. Daley, County Attorney Robert Oren Eades, Staff Attorney Debra Bechtel, and County Clerk Thelda B. Rhoney.

- 1. Chair Barnes called the meeting to order at 7:00 p.m.
- 2. Chair Barnes led in the Pledge of Allegiance to the Flag.
- 3. Invocation was offered by Commissioner Barger.
- 4. Commissioner Hunsucker made a motion to approve the minutes from the regular session and closed session of Monday, March 15, 2004, and special session of Thursday, March 18, 2004. The motion carried unanimously.
- 5. Recognition of Special Guests. None.
- 6. Public Comment for items not on the agenda. None.
- 7. Presentations:
  - a. The Board proclaimed April 18-24, 2004, as County Government Week and Chair Barnes presented the proclamation to Avajean Wickes, Executive Assistant, County Manager's Office. County Government Week Coordinator.
    - Ms. Wickes thanked the Board for proclaiming April 18-24, 2004, as County Government Week to recognize the importance of counties. The A to Z Directory, a guide to services in Catawba County, will be placed in businesses across the County for citizens to pick up. She invited everyone to the opening of the new Catawba County EMS/Oxford Fire Department/Claremont Rescue Squad base located off Highway 16 on Sunday, April 18, 2004, 2:00 p.m. 6:00 p.m. There will be guided tours at Riverbend Park and Bakers Mountain Park on April 18 and April 24. There will be a reading event, Rabies Vaccination Clinics, Litter Sweep Program, and the Library has many activities planned during County Government Week, all of which will be held during the month of April. Ms. Wickes asked citizens to call the County Manager's Office for specific dates and times of the events.
  - b. The Board proclaimed April 18-24, 2004, as International Association of Administrative Professionals (IAAP) Week and Commissioner Beatty presented the proclamation to Janice D. Cornett, CPS. Other Catawba County IAAP members present were: Trudy McSwain; Thelda Rhoney; Iris Riddle; and Brenda Teague, CPS.
    - Ms. Cornett thanked the Board for the proclamation and for allowing the administrative staff opportunities for continuing education for professional growth to better serve Catawba County.
  - c. The Board proclaimed April 11-17, 2004, as Public Safety Telecommunications Week and Commissioner Barger presented the proclamation to Brian Drum, Telecommunications Shift Supervisor.
    - Mr. Drum thanked the Board for the proclamation.
  - d. The Board proclaimed the month of April 2004 as Public Health Month and Commissioner Lail presented a proclamation to Barry A. Blick, Public Health Director.

Mr. Blick thanked the Board for the proclamation and said Public Health Month recognizes the immeasurable contribution to the quality of life in Catawba County brought about by public health services to citizens. All Catawba County second graders will be invited to Public Health for a tour. Staff plans to take Public Health out to the people. A Public Health display will be set up in various County facilities during the month.

e. The Board proclaimed April 17-30, 2004, as Litter Sweep Weeks and Commissioner Hunsucker presented a proclamation to Barry B. Edwards, Utilities and Engineering Director.

Mr. Edwards said "Litter Sweep" weeks will be observed April 17-30, 2004. During these weeks, citizens who bring trash collected from road sides, parks, lake sides and other common areas in special orange bags, or recyclable materials collected from the same areas in blue bags, to the Blackburn Landfill or one of the County's five convenience centers may dispose of the bags free of charge. Citizens may also call the North Carolina Department of Transportation Maintenance Office at 828-466-5519 to arrange for pickup of bags. The bags are available at the Utilities and Engineering Department, on the second floor of the County Government Center in Newton; the Cooperative Extension Office off Highway 321 Business in South Newton; the N.C. Department of Transportation's County Maintenance Office on Prison Camp Road between Newton and Maiden; and at Garbage Disposal Service's office at 4062 Section House Road in Hickory. A special kickoff event for Litter Sweep Weeks will be held, beginning at 9:00 a.m. on Saturday, April 17, in the parking lot of Sam's Club on Highway 70. Mr. Edwards said NCDOT is offering cash prizes for the most unusual item found on the roadways. A total of 106,080 pounds of litter was collected from Catawba County's roadways during the past six months.

Mr. Tony Gallegos, Extension Agent, Environment and Natural Resources said the Litter Task Force was formed in February and its goals were consistent with Cooperation Extension's mission of environmental stewardship. A goal of the Litter Task Force is to build capacity and participation from all stakeholder groups. The Litter Task Force is working to address local short and long term issues in education, enforcement and incentive programs. The Task Force was awarded first place in the 5th Annual State Litter Prevention Contest, which came with an award of \$1,000 and will be used to assist with the Litter Sweep.

### 8. Public hearing:

a. FY 2004-2005 Catawba County Rural Operating Assistance Program.

Piedmont Wagon Transit Manager Cynthia McGinnis said the Rural Operating Assistance Program (ROAP) is an annual grant that is available from the North Carolina Department of Transportation, Public Transportation Division. The ROAP includes the Elderly and Disabled Transportation Assistance Program (EDTAP), the Work First Transitional/Employment Transportation Assistance Program and the Rural General Public (RGP) Program. These program funds are made available to counties through formula allocation.

EDTAP - provides operating assistance funds for the transportation of the state's elderly and disabled citizens. This transportation assistance allows these individuals to reside for a longer period in their homes, thereby enhancing their quality of life.

Work First/Employment - program is intended to provide operating assistance for transitional Work First and general public employment transportation needs.

RGP - provides operating assistance funds are intended to provide transportation services to individuals who are not human service agency clients.

Upon approval, discretionary RGP funds will be disbursed to the county and must be sub-allocated to Piedmont Wagon Transit System to be used to provide rural general public transportation service beyond that which can be supported with the county's formula RGP allocation. These funds are not allocated on a formula basis.

The FY 2004-2005 Rural Operating Assistance Program allocation to the County is \$129.046. This money will fund the following programs: EDTAP (\$73,461), Work First (\$12,104) and Rural General

Public (\$43,481). Staff is requesting \$50,000 in discretionary RGP funds to develop an out-of-county transportation service between northwest Catawba County and southeast Caldwell County. This service will be a deviated fixed route and subscription service with riders paying 100 percent of the fares. The required local match is \$2,500 to be funded through existing Catawba County sub-allocations to Piedmont Wagon Transit System. Beginning with 2005, Catawba County is eligible to receive Discretionary RGP "start-up" funds for two consecutive years for the same service. At the end of the two years, and given that the new service is successful, it will be integrated into the RGP transportation services, which may justify a request for additional operating assistance under the formula RGP funds. Staff recommended that the Board of Commissioners hold a public hearing and approve the submission of the FY 2004-2005 Catawba County Rural Operating Assistance Program Grant Application to the North Carolina Department of Transportation - Public Transportation Division.

# Resolution No. 2004-09 FY 2004 - 2005 Rural Operating Assistance Program

Whereas Article 2B of Chapter 136 of the North Carolina General Statutes and the Governor of North Carolina have designated the North Carolina Department of Transportation as the agency responsible for administering all federal and/or state programs related to public transportation, and grants the department authority to do all things required in applicable federal and/or state legislation to properly administer the public transportation programs within the State of North Carolina;

WHEREAS, G.S. 136-44.27 established the Elderly and Disabled Transportation Assistance Program;

WHEREAS, funds will be used for transportation related expenditures as specified in the FY 2004 - 2005 Rural Operating Assistance Program (ROAP) application;

WHEREAS, information regarding use of the funds will be provided at such time and in such a manner as the department may require;

WHEREAS, ROAP funds will be used to provide eligible services during the period July 1, 2004 through June 30, 2005;

WHEREAS, any interest earned on ROAP funds will be expended for eligible program uses as specified in the ROAP application; and

WHEREAS, the County will include ROAP funds received and expended in its annual independent audit on the schedule of federal and state financial assistance. Funds passed through to other agencies will be identified as such.

This is certify that the undersigned is duly elected, qualified and acting chairperson of the Board of County Commissioners of the County of Catawba, North Carolina, and that the following statements are true and accurate:

Elderly and Disabled Transportation Assistance Program

- The funds received from G.S. 136-44.27 will be used to provide additional transportation services for the elderly and disabled, exceeding the quantity of trips provided prior to receipt of the funds.
- 2. The funds will not be used to supplant or replace existing federal, state or local funds designated to provide elderly and disabled transportation services in the county.
- The funds received will be used in a manner consistent with the local Transportation Development Plan (TDP) or Community Transportation Services Plan (CTSP) and application approved by the North Carolina Department of Transportation and the Board of Commissioners.

Work First Transitional/Employment Transportation Assistance Program

 The purpose of these transportation funds is to support transitional transportation needs of Work First participants after eligibility for cash assistance has concluded and/other specified general public employment transportation needs. The funds may be transferred to the Elderly and Disabled Transportation Assistance Program or the Rural General Public Program if not needed for Work First transportation.

2. The funds are limited to use by the designated local entity(s) specified in the ROAP application, or any revisions or amendments thereto.

#### Rural General Public Program

- 1. The funds will be used in a manner consistent with the Rural General Public Transportation Project Description.
- 2. The funds will be used to provide non-human service trips.

WITNESS my hand and official seal, this 5th day of April, 2004.

Attest:

/s/ Thelda B. Rhoney /s/ Katherine W. Barnes, Chair

County Clerk Catawba County Board of Commissioners

/s/ J. Thomas Lundy Catawba County Manager

Chair Barnes opened the public hearing by saying this was the time and place as advertised for the public hearing and asked if anyone wished to speak either for or against.

There being no one wishing to speak, Chair Barnes closed the public hearing.

Commissioner Hunsucker made a motion to approve the submission of the FY 2004-2005 Catawba County Rural Operating Assistance Program Grant Application. The motion carried unanimously.

#### 9. Appointments:

Commissioner Barger made the following nominations to the Plateau Small Area Planning Committee:

#### Plateau Small Area Planning Committee

Mr. Terry Bledsoe, 6405 Providence Church Road, Vale

Mr. James Crafton, 6861 Old Shelby Road, Vale

Ms. Donna Cullum, 3839 Banoak Road, Vale

Mr. Greg Fulbright 6172 West NC 10 Highway, Hickory

Mr. Jon Gladden, 4789 Plateau Road, Vale

Ms. Carol Hall, 5155 Hickory-Lincolnton Road, Lincolnton

Mrs. Barbara Hamrick, 4271 Paint Shop Road, Lincolnton

Mr. Pinkney Hull, 7485 West NC 10 Highway, Vale

Ms. Tawanna Jarrett, 9355 West NC 10 Highway, Vale

Mr. Al King, 4814 Whitener Road, Hickory

Ms. Teresa Lail, 5877 Old Shelby Road, Vale

Mr. Travis Norman, 9376 Jacob Fork River Road, Connelly Springs

Ms. Meagan Ortiz, 3916 Beryl Drive, Vale

Mr. Scott Rhoney, 7192 Old Shelby Road, Vale

#### **Social Services Board**

Commissioner Barger nominated Doug Howard for reappointed to a second, 3-year term. The term will expire June 30, 2007.

#### Community Service Block Grant Advisory Board (CSBG)

Commissioner Barger nominated Doug Howard for reappointed to a second, 3-year term. The term will expire June 30, 2007. (The term on this board is commensurate with the Social Services Board reappointment.)

There being no further nominations, Chair Barnes made a motion to approve the aforementioned appointments. The motion carried unanimously.

#### 10. Consent agenda:

County Manager J. Thomas Lundy presented the following consent agenda:

a. Donation of Personal Property to Catawba County Schools.

The 1989 Ford F350 with 100,050 miles, is difficult to crank and needs a fuel injection pump. Catawba County Schools has requested the truck to use in its maintenance department to pull trailers and haul heavy equipment. The approximate value of the vehicle is \$2,000. North Carolina General Statute 160A-274 authorizes the sale, lease, exchange and joint use of governmental property. Under this statute, a governmental unit may transfer personal equipment to another governmental unit with or without consideration. The statute does specify that the action be taken by the governing body of the governing unit. The Finance and Personnel Subcommittee recommended that the Board of Commissioners adoption the following resolution donating personal property to Catawba County Schools.

# Resolution No. 2004-10 Declaration of Surplus Property and Donation to Catawba County Schools

WHEREAS, the County has the authority to transfer property no longer needed as surplus and donate said property to another governmental unit according to the precepts of NCGS 160A -274; and

WHEREAS, the following property is no longer needed for any governmental use by Catawba County;

1989 Ford F350 Super Duty Pickup Truck

WHEREAS, said vehicle shall be given to Catawba County Schools to be used for a governmental purpose.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners hereby declares said property as surplus and authorized the vehicle to be donated to the Catawba County Schools.

This the 5th day of April, 2004.

/s/ Katherine W. Barnes, Chair Catawba County Board of Commissioners

b. Mental Health Budget Revision.

The Finance and Personnel Subcommittee recommended that the Board of Commissioners approve a revision to increase the current Mental Health budget by \$132,722 bringing it to \$17,047,759. Adult Mental Health funds are being appropriated for a onetime allocation in the amount of \$31,192. These funds will be used for the purpose of developing and providing services needed for clients who are returning to the community as a result of planned closure of state hospital units. These funds cover expenditures for salary and benefits for an existing residential position and client assistance funds. This would place eight people in residential setting s this year and sixteen are projected for next fiscal year. State Mental Health Trust Funds have been awarded to Catawba County in the amount of \$100,000. These funds will be expended to the Salvation Army. Of the allocated funds, \$80,000 will go toward renovations and \$20,000 for furnishings/equipment. This venture will help to renovate the Salvation Army's former shelter to become a one-stop comprehensive resource center for target population individuals and families. In addition, community agencies will be able to utilize office space at the newly renovated center. It is anticipated that sixty would be assisted in a year's period. With the additional Adult Mental Health State allocations being awarded to support currently budgeted salary and benefits for a residential position, Mental Health Fund Balance will decrease (\$23,470). In addition, a onetime appropriation of \$25,000 from Mental Health Fund Balance has been approved to support the purchase of two new vehicles for Adult Life Program. This is justified given the expanding elderly population that experiences mental health related problems and who benefit from the day services that they provide. Adult Life has been critical in helping Mental Health Services in meeting its goal of expanding services to this targeted population. These vehicles would transport 24 people a day two ways. Overall, Mental Health Fund Balance is being increased by \$1,530. This revision adds no new positions and requests no additional County funding.

#### Supplemental Appropriations

Account Number Expenditures: 110-538001-911700 Client Emergency A	sst. \$7,722	Account Number Revenues: 110-538001-635000 Adult Mental Health	\$31,192
110-531001-868193 Salvation Army	\$100,000	110-538001-690101 Fund Balance Applied	(\$23,470)
110-531001-868124 Adult Life Program	\$25,000	110-531001-633100 Mental Health Trust Fund 100-531001-690101 Fund Balance Applied	\$100,000 \$25,000

#### c. Refund Request.

One refund request totaling \$4,185.09 was made to the Tax Office. The records were checked and the refund verified; therefore, the Tax Collector requested approval of the refund request. According to General Statute 105-381, a Taxpayer who has paid his taxes may request a refund (in writing) for the amount that was paid through error.

#### Refund Request

Spectrum Textured Yarns Inc., 136 Patterson Road, Kings Mountain, NC 28086-8933 Account No. 128564

For 2003 Parcel 2792-08-77-7812.0000 was appealed to the Property Tax Commission. Per Change Order 2003 PTC 131 dated March 17, 2004, the total real estate valuation was adjusted from 2,484,100 to 1,626,500. A refund is requested for the amount of their overpayment in taxes.

County	
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<u>Year</u>	<u>Value</u>	<u>Rate</u>	<u>Tax</u> Interest*		<u>Total</u>
2003	857,600	.480	4,116.48	68.61	\$ 4,185.09 **

<sup>\*</sup>Interest is calculated at 5% per annum from date of their payment of taxes, which was 12-31-03. Interest has been calculated through April, 2004.

Commissioner Barger made a motion to approve the consent agenda. The motion carried unanimously.

#### **End Consent Agenda**

#### 11. Departmental Report:

- a. Utilities and Engineering Department.
  - 1. Update on Southeastern Catawba County Waterline, Phase I and Phase II.

Utilities and Engineering Director Barry B. Edwards said Catawba County's commitment for supplying municipal water to Southeastern Catawba County (SECC) requires a water supply loop, "SECC Water Distribution Loop," for meeting the long-range water demand of 5 million gallons per day (MGD) in the defined area. The SECC Water Distribution Loop benefits all the citizens of Catawba County by ensuring the continuous flow of drinking water through a fortified looped distribution system and through user-based economics. The fortified looped distribution system allows water to flow in either direction providing for uninterrupted service during planned and unplanned system maintenance and repairs and emergencies. The majority of the County can be served. The number of citizens impacted magnifies the importance of developing this loop. The SECC water distribution loop is being developed in three separate but codependent phases.

#### Phase I:

Bids were awarded for Phase I in December 2003. Construction began in February 2004, and the expected completion date is November 14, 2004. Phase I construction is nearing completion along Sherrills Ford Road and has begun on NC Hwy 150 and East Maiden Road. The first of two public meetings was held on March 30, 2004, at 6:30 p.m. at the Sherrills Ford Elementary School cafeteria to allow the public to view the project map and ask questions. A

<sup>\*\*</sup>This is in the City of Hickory.

second public meeting of the same nature is tentatively scheduled for June 2004 at Mt Pleasant United Methodist Church.

#### Phase II and III:

As directed by the Board of Commissioners, prior to the beginning of Phase II design, several meetings were held with representatives from the Cities of Newton and Hickory, and the Town of Maiden to gather their input and comments on the recommended routing by McGill Associates, the County's consulting engineer on the project. At the conclusion of the group's last meeting held on February 24, 2004, with officials from all entities and McGill Associates in attendance, it was agreed by all parties that the proposed routing submitted by McGill Associates should be followed. Letters were received from the City of Newton and the Town of Maiden supporting the proposed routing of Phases II and III. Design on Phase II began in earnest in March 2004. Construction is expected to begin in February 2005 and completion is expected in November 2005. A public meeting is tentatively planned for February 2005 at the Maiden Recreation Center. Phase III engineering design is anticipated to begin in October 2004. Phase III construction is anticipated to begin in January 2006 with completion of Phase III and the SECC water distribution loop scheduled for December 2006. A public meeting is tentatively planned for January 2006 at the Maiden Recreation Center.

The Board briefly discussed the waterlines. Chair Barnes said staff would need to continue to figure out where and how to create the smaller loops.

#### 12. Attorneys' Report.

#### a. Litigation.

County Attorney Robert Oren Eades updated the Board on the contested case hearing regarding the EPA designation for particulate matter. Attorney Eades said a petition was filed on March 17, 2004. Last week he received notice from the State that the petition had been assigned to an administrative law judge and was on the calendar for a contested case hearing. Mr. Eades said they have been working and interviewing potential law firms to represent the region in that matter and have talked about a variety of strategies to pursue. He is working with the Attorney General's Office and the Office of Administrative Hearings to ask that the petition for a contested case hearing be taken off the active calendar and be set aside to give Catawba County the opportunity to resolve in a negotiated manner rather than a hearing.

#### 13. Manager's Report.

- a. Mr. Lundy reminded the Board that its April 19, 2004, meeting would be held at the Sherrill Tobacco Company in the Town of Catawba as part of the Board's outreach to the community.
- b. Mr. Lundy said staff was trying to reschedule the Budget Public Hearing and Wrap-up session either for May 25 or 26, and the date would be announced at the April 19 meeting.

#### 14. Other items of business:

a. Update on Jail Expansion Project.

Sheriff L. David Huffman said the Catawba County Jail was built for 89 cells and was supposed to last 12-15 years and it has now been 25 years. The reduction in jail population was due to getting the mentally ill and juveniles out of jail and placed in proper facilities. Catawba County was the first in the state for electronic house arrest. Pre-trial release also helped reduce the jail population. The Burke/Catawba facility has saved the County a tremendous amount of money.

Mental Health Director John M. Hardy updated the Board of Commissioners on what has occurred in the planning for the expansion of the existing Catawba County Jail. He offered a brief PowerPoint presentation on the elevation and a 3D view of the proposed jail.

The current Catawba County Jail was first occupied in 1980 with 89 available beds with 27,000 square feet. In the 24 years of operation the demand for that facility has been significant. Concern about its heavy utilization, overcrowding, and the high demand for detention beds prompted a study produced

in June, 2003, by Solutions for Local Government, Inc. (Steve Allan). That study detailed the history of the current facility, the demand for detention beds in Catawba County, the use of the Burke-Catawba District Confinement Facility, and a presentation of options to solve the high demand and overcrowding. The study also presented a general design solution and a building project plan to be accomplished over two major construction phases.

In response to reviewing that plan and understanding its recommendations, the Board of Commissioners put in motion the process to design and build an expansion to the existing jail facility in Newton. A design team of Little Diversified Architectural Consulting and HOK was selected to develop the schematic design and prepare the detailed plans in preparation for bidding a construction project to expand the capacity of the current jail.

This is a complex project, very different from standard construction, because of its nature of being a secure detention facility being operated 24 hours of every day. Both construction standards and jail operational standards have dramatically changed during the 24 years since the current jail was built. For instance, building codes now require a full sprinkler system for such facilities and operational standards set forth minimum requirements for natural light access and square footage per inmate cell. Use of secure construction techniques of reinforced block construction, concrete and steel as the primary building material, and the full application of surveillance technology makes this more costly than other typical school or office space construction. In addition, the current jail site presents some design challenges with its sloping land and the existence of a natural gas pipeline right-of-way in the middle of the site.

The study suggested the first phase of construction develop capacity to 200 beds with the second phase going to 344 beds. The existing jail space was to be renovated and updated to extend its usefulness. The initial plan called for an additional 76,900 square feet.

The proposed design provides a total of 248 beds, with a future expansion of 96 beds or more. This is accomplished within 72,459 square feet. Support areas such as magistrate space, intake and booking, public visitation, food service, storage, are sized for initial construction as well as future expansion. The proposed design provides more beds, at less square footage, for about the same cost.

Mr. Hardy reviewed the existing Justice Center building, the interior schematics showed the use of different spaces, and an exterior view. In addition there is a cost estimate for the construction, site modifications, and projected operational costs. It is estimated that the entire project cost, including construction, relocation of the natural gas line, all equipment, and new generator, will be in the range between \$17,750,000 and \$18,250,000. Tentative completion date would be the end of 2006, for occupation January 2007.

Some estimates have also been done on the operational costs for the new facility. In all areas of operation there are increased costs from food, clothing, medical expenses, transportation, utilities, and increased staff. It is estimated that approximately 39 additional deputies will be added to the current 19 for a total of 58 FTE's to operate the expanded facility 24 hours every day of the year. This ratio of deputies to inmates is about the same in both the current jail and the expanded jail. Increases in operational costs will be in the \$2.5 million to \$3.1 million range. It is too early to be more precise on those costs.

The Board briefly discussed the jail expansion.

Mr. Lundy said at the time the County was committed on starting the venture with the jail and with the state budget cut backs the county lost the position that focused on facilities management. A team was formed and Mr. Hardy was asked to chair the team because of his background in mental health issues, managing and contracting the mental health facilities, managing and building space, jail management and law enforcement. He thanked Mr. Hardy for the leadership on the Jail Expansion Team. He also thanked other team members: Sheriff Huffman, Coy Reid, Tom Lambert, Mike Hale, Rodney Miller, Debbie Anderson, Ernest Williams, Tim Watson, and Toni Gortney.

Mr. Hardy thanked all the team members and said Finance Director Rodney Miller had done an outstanding job with the numbers and Purchasing Agent Debbie Anderson had done an extraordinary job with the selection process and looking at furnishing costs issues and technical issues.

# 15. Adjournment.

At 11:15 a.m. there being no further business to come before the Board, Commissioner Barger made a motion to adjourn. The motion carried unanimously.

The next meeting will be Monday, April 19, 2004, at 7:00 p.m., Location: Sherrill Tobacco Company, 100 South Main Street, Catawba, North Carolina.

Katherine W. Barnes Chair, Board of Commissioners

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Thelda B. Rhoney County Clerk